UNITED
NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
LIMITED

CEDAW/C/1997/II/L.1/Add.9
23 July 1997
ENGLISH
ORIGINAL: ENGLISH/SPANISH

COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Seventeenth session
7-25 July 1997

ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS SEVENTEENTH SESSION

Draft report

Rapporteur: Ms. Aurora JAVATE DE DIOS

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

5. Second and third periodic reports of States parties

Argentina

1. The Committee considered the second and third periodic reports of Argentina (CEDAW/C/ARG/2 and Add.1 and 2 and CEDAW/C/ARG/3) at its 455th and 456th meetings, on 22 July 1997.

2. In introducing the reports, the representative of Argentina pointed out that the country had undergone profound changes since the National Government had taken office in 1989. During that time, programmes on health, education and social welfare had been transferred to the provinces in order to strengthen the federal system.

3. The reform of the National Constitution in 1994 was an important step towards the achievement of equality for Argentine women. Most international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, now have constitutional status and are

therefore considered complementary to the rights guaranteed in the text of the Constitution. Furthermore, the new Constitution promotes affirmative action in order to achieve de jure and de facto equality. It also reaffirms the need for special security regulations to cover women during pregnancy and lactation.

4. The representative indicated that the National Council for Women had developed a strong policy for monitoring the application of the Law of Quotas, which had led even to the presentation of legal actions demanding that lists of political parties which did not comply with the requirements of the law be declared non-official.

5. The representative stressed the high status of the National Council for Women, which is located at the ministerial level and reports directly to the President of the Nation. The National Council has recently focused on decentralizing its structure by strengthening the machinery of the provinces. So far, Provincial Councils for Women have been established in 9 out of 24 provinces. The National Council also provides technical assistance and training to support the machinery at the provincial level.

6. Regarding the status of women in the labour market, the National Council for Women has established close cooperation with the Ministry for Labour and Social Security, aimed at promoting women in the labour force.

7. In order to disseminate information on the rights of women, the National Council for Women has distributed 35,000 free copies of a bimonthly magazine and a CD-ROM containing information on the national and international legislation in the field of women, including the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Platform for Action.

8. The representative informed the Committee about measures taken to prevent violence in the family and to assist the victims of violence. Special Centres for Information and Advice and permanent telephone services have been established. An agreement between the National Council for Women and the Ministry of Justice has proposed a training programme for councillors and officials who deal with victims of violence. Together with the United Nations Children's Fund (UNICEF), the National Council for Women has launched a national training programme on violence against women.

9. The representative stated that, at all educational levels, women constitute more than 50 per cent of the students. The Ministry of Education and Culture has established a special entity in charge of women's affairs. Its activities include the revision of curricula, training of staff in the provinces and a research competition relating to women in the educational system.

10. The representative indicated that women's health has improved throughout the last decade. The life expectancy of women increasingly exceeds that of men and maternal mortality rates have gone down. The Ministry of Health has launched training programmes to promote women's health issues.

11. In order to support rural women, a project that provides training and credit facilities for women farmers was set up in 1989.

12. The Secretariat of Natural Resources has declared its commitment to include a gender perspective in all programmes and policies, as requested in the Beijing Platform for Action.

13. The Representative informed the Committee that measures had been taken for the full implementation of the Integrated System of Retirement Pensions of Housewives approved by Law 24.828. Furthermore, bills have been presented to the National Congress to regulate labour relations concerning domestic services and their retirement system.

14. The representative concluded by mentioning that legal measures are in preparation to ensure that women receive alimony; a bill creating a national register of those in default of alimony payments has already been passed by the House of Representatives and is pending in the Senate.

Concluding comments

Positive aspects

15. The positive events that have taken place include the following:

(a) The granting to the Convention of a normative status on a par with the Constitution;

(b) Constitutional recognition of the competence of the National Congress to adopt affirmative-action laws in order to guarantee equality of opportunity and treatment in all spheres and especially to promote access by women to elective and party offices;

(c) An increase in the number of women parliamentarians, due to the effective application of the Quotas Act;

(d) Constitutional recognition of the right of persons affected, of the High Commissioner and of associations that meet certain requirements to take speedy amparo proceedings against acts or omissions that harm or threaten rights recognized by the Constitution;

(e) The existence of the Federal Women's Council and of the National Women's Council, organs entrusted with the task of promoting and coordinating policies of equality.

Principal areas of concern

16. Reform of the Penal Code, in order to bring it into line with the provisions of the Convention, is still pending.

17. Women have been affected by the economic reforms and by the amendments to the labour and social-security laws which were adopted recently.

18. Stereotypes persist with regard to the social roles of women and men.

19. The percentage of women pursuing technical careers continues to be low.

20. The reports of the Government of Argentina lack data and an analysis concerning the situation of women who are subjected to slavery and exploitation for prostitution.

21. Women occupy few managerial posts in the private sector.

22. The rate of unemployment for women (20.3 per cent) is five percentage points higher than that for men (15.7 per cent).

23. There are no regulations governing the labour relations of domestic employees.

24. There are no regulations to penalize sexual harassment in the workplace in the private sector.

25. Maternal mortality and morbidity due to childbirth and abortion remain high.

26. Women in rural areas have worse living conditions.

Suggestions and recommendations

27. There is a need to reform the Penal Code as soon as possible in order to bring it into line with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, the general recommendations of the Committee and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women.

28. The Government's plans for equality should be pursued and strengthened and their results should be evaluated in a more systematic way and described in the next periodic reports submitted to the Committee.

29. Programmes designed to eliminate stereotyping of the social roles of women and men need to be maintained and reinforced. For example, efforts should be made to increase the number of women pursuing technical careers and occupying positions traditionally considered a male preserve, and to ensure that men share with women the task of caring for the children.

30. Services for the care of young children who have not yet begun compulsory schooling should be increased and regulated.

31. Programmes to increase awareness among the police, judges and health-care professionals concerning the gravity of all forms of violence against women should be maintained and strengthened.

32. The Committee requests the Government of Argentina to include in its next report legal and sociological information relating to article 6 of the Convention.

33. The Committee requests the Government of Argentina to provide information on measures taken to avoid, in both the public and the private sectors, discrimination in access to employment and to apply the International Labour

Organization Conventions No. 100 on equal remuneration and No. 156 on family responsibilities.

34. The labour relations of domestic employees should be regulated.

35. Sexual harassment occurring in the workplace in the private sector should be penalized.

36. In accordance with general recommendation 17 of the Committee and with the Beijing Platform for Action, the Government of Argentina should place a value on unremunerated work and include it in national accounts by means of subsidiary accounts.

37. The Committee considers it necessary that gender-disaggregated statistics relating to education, employment and social security should be supplemented, in particular by giving:

- The number of teachers at the various levels of the education system;
- The number of students receiving grants;
- Part-time work;
- The number of open-ended contracts and those of a specific duration;
- Average pay;
- Average retirement pension.

38. Programmes designed to promote employment of women, particularly young women, should be intensified.

39. There should be increased efforts to reduce maternal mortality and morbidity.

40. Legislation which penalizes mothers who have abortions should be reviewed.

41. Programmes and services directed towards rural women should be strengthened.

42. The Committee requests that the Government of Argentina widely disseminate these comments throughout Argentina, so that individuals are aware of the measures that have been taken to implement the Convention and the remaining steps that are required to achieve de facto equality for women.